

16-29-100 License Application, Disclosure.

1. Before any applicant may be licensed to operate a Sexually Oriented Business pursuant to this Chapter, the applicant shall submit, on a form to be supplied by the Morgan County Business License Officer the following:
 - a. The correct legal name of each applicant, corporation, partnership, limited partnership or entity doing business under an assumed name.
 - b. If the applicant is a corporation, partnership or limited partnership or individual or entity doing business under an assumed name the information required below for individual applicants shall be submitted for each partner and each principal of an applicant and for each officer or director. Any holding company, or any entity holding more than ten percent of an applicant, shall be considered an applicant for purposes of disclosure under this chapter.
 - c. All corporations, partnerships or non-corporate entities including on the application shall also identify each individual authorized by the corporation, partnership or non-corporate entity to sign the checks for such corporation, partnership or non-corporate entity.
 - d. For all applicants the application must also state:
 - ii. Any other names or aliases used by the individual;
 - iii. Present business address and telephone number;
 - iv. Present residence and telephone number;
 - v. Utah Drivers license or identification number; and
 - vi. Social security number.
 - e. Acceptable written proof that any individual is at least 21 years of age.
 - f. The applicant's fingerprints on a form provided by the Morgan County Sheriff's Department. For persons not residing in Morgan County, the fingerprints shall be on a form from the law enforcement jurisdiction where the person resides. Fees for the fingerprints shall be paid by the applicant directly to the issuing agency.
 - g. A statement detailing the license or permit history of the applicant for the five year period immediately preceding the date of the filing of the application, including whether such applicant possesses or previously possessed any liquor licenses. The statement shall list all other jurisdictions in which the applicant owned or operated a Sexually Oriented Business. The statement shall also state whether the applicant has ever had a license, permit, or authorization to do business denied, revoked or suspended in this or any other county, city, state or territory. In the event of any such denial, revocation or suspension, state the date, the name or issuing or denying jurisdiction and state in full the reasons for denial, revocation or suspension. A copy of any order of denial, revocation or suspension shall be attached to the application.
 - h. All criminal convictions or pleas of nolo contendere, except those which have been expunged, and the disposition of all such arrests for the applicant, individual or entity subject to disclosure under this chapter for five years prior to the date of the application. This disclosure shall include identification of all ordinance violations, except minor traffic offenses (any traffic offense designated as a felony shall not be construed as a minor traffic offense); stating the date, place, nature of each conviction and plea of nolo contendere and sentence of each conviction or other disposition; identifying case numbers or docket numbers. Application for a Sexually Oriented Business shall constitute a waiver of disclosure of any criminal conviction or plea of nolo contendere for the purposes of any proceeding involving the business or employee license.
 - i. In the event the applicant is not the owner of record of the real property upon which the business or proposed business is or to be located, the application must be accompanied by possessory interest in the property specifically acknowledging the type of business for which the applicant seeks a license for the property. In addition to furnishing such notarized statement, the applicant shall furnish name, address and phone number of the owner of record of the property, as well as the copy of the lease or rental agreement pertaining to the premises on which the service is or will be located.
 - j. A description of the services to be provided by the business, with sufficient detail to allow reviewing authorities to determine what business will be transacted on the premises, together with a schedule of usual fees for services to be charged by the licensee and any rules, regulations or employment guidelines under or by which the Sexually Oriented Business intends to operate. This description shall also include:
 - i. The hours that the business or service will be open to the public and the methods of promoting the health and safety of employees and patrons and preventing them from engaging in illegal activity;
 - ii. The methods of supervision preventing the employees from engaging in acts of prostitution or other related criminal activities;
 - iii. The methods of supervising employees and patrons to prevent employees and patrons from charging or receiving fees for services or acts prohibited by this Chapter or other statutes or ordinances.
 - iv. The methods of screening employees and customers in order to promote the health and safety of employees and customers and prevent the transmission of disease, and prevent the commission of acts of prostitution

or other criminal activity.

It is unlawful to knowingly submit false or materially misleading information on or with a Sexually Oriented Business license application or to fail to disclose or omit information for the purpose of obtaining a Sexually Oriented Business License.